

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

BANK OF AMERICA, N.A.,

Plaintiff,

v.

KETURAH MIXON, et al.,

Defendants.

Case No. 1:21-cv-430

HON. JANET T. NEFF

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**ORDER**

This is a civil action involving a *pro se* litigant. Defendant Keturah Mixon filed a Motion to Dismiss (ECF No. 14). The matter was referred to the Magistrate Judge, who issued a Report and Recommendation on December 22, 2021 (ECF No. 47), recommending that this Court deny the motion, and that it find that: (1) diversity jurisdiction exists over Plaintiff's claim; and (2) Defendant Kingdom Warriors Ministry is a fictitious entity that cannot be served with process. The Report and Recommendation was duly served on Plaintiff and Defendant Keturah Mixon. No objections have been filed. *See* 28 U.S.C. § 636(b)(1). Accordingly:

**IT IS HEREBY ORDERED** that the Report and Recommendation (ECF No. 47) is APPROVED and ADOPTED as the Opinion of the Court.

**IT IS FURTHER ORDERED** that the Motion to Dismiss (ECF No. 14) is DENIED.

**IT IS FURTHER ORDERED** that this Court finds that: (1) diversity jurisdiction exists over Plaintiff's claim; and (2) Defendant Kingdom Warriors Ministry is a fictitious entity that

cannot be served with process. Defendant Kingdom Warriors Ministry is TERMINATED from this action.

**IT IS FURTHER ORDERED** that Defendant Keturah Mixon shall, not later than February 3, 2022, file an answer to Plaintiff's Complaint.

Dated: January 18, 2022

/s/ Janet T. Neff  
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JANET T. NEFF  
United States District Judge